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October 1, 2014

**BY ECF AND U.S. MAIL**

Honorable William H. Pauley III  
United States District Court Judge  
500 Pearl Street, Room 2210  
New York, New York 10007-1312

Re: *In Re: Platinum and Palladium Commodities Litig.*, 10-cv-3617 (WHP) (S.D.N.Y.)

Dear Judge Pauley:

As an attorney for the Futures Plaintiffs ("Plaintiffs"), I am respectfully submitting this letter-motion pursuant to Section I.D. of Your Honor's Individual Practices in order to request a ninety (90) day adjournment of the November 7, 2014 fairness hearing and certain related deadlines in the Court's July 15, 2014 Order Preliminarily Approving Proposed Settlement, Scheduling Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to The Class ("Preliminary Approval Order"). Dkt. No. 212.

This is the first request to adjourn the fairness hearing and related deadlines in the Preliminary Approval Order.

Pursuant to paragraph 18 of the Preliminary Approval Order, Futures Class Counsel are concurrently submitting a Status Report to the Court concerning the progress of executing the program for providing notice of the Futures Plaintiffs' proposed settlement with the Moore Capital Defendants and Defendant Joseph Welsh ("Settlement").

As set forth in the Status Report (which Plaintiffs incorporate herein by reference), the Court-approved program of notice has been carried out strictly in accordance with this Court's instructions in the Preliminary Approval Order. However, Futures Class Counsel have learned of certain failures among New York Mercantile Exchange ("NYMEX") clearing firms to provide notice of the Settlement to their relevant customers that compels Futures Class Counsel to recommend that the Court adjourn the November 7, 2014 fairness hearing and certain related deadlines in the Preliminary Approval Order. The reasons for the requested adjournment are set forth in Section "V" of the Status Report.

Accordingly, Futures Class Counsel respectfully requests that the Court adjourn the currently scheduled November 7, 2014 fairness hearing and the below related deadlines in the

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Preliminary Approval Order by approximately ninety days. A [Proposed] Revised Scheduling Order is enclosed herewith.

Event	Current Deadline	Requested Deadline
Fairness Hearing	November 7, 2014, 11:00 a.m.	On or about February 5, 2015, at the Court's convenience
Request for Exclusion Deadline	October 3, 2014	35 days prior to Proposed Revised Fairness Hearing
Fairness and Fee Brief Deadline	October 8, 2014	30 days prior to Proposed Revised Fairness Hearing
Objection Deadline	October 15, 2014	23 days prior to Proposed Revised Fairness Hearing
Opposition to Timely-Filed Objections	October 31, 2014	7 days prior to Proposed Revised Fairness Hearing
Statement Regarding Compliance with Notice Program	October 31, 2014	7 days prior to Proposed Revised Fairness Hearing
Proof of Claim Deadline	January 21, 2015	75 days after the Proposed Revised Fairness Hearing

*Defendants' Position.* The Defendants do not oppose provision of additional notice to the Futures Class, but do not believe that an adjournment of ninety days is warranted. Futures Class Counsel has represented that the majority of the additional MF Global notices (2,405) were mailed by September 29, 2014. With respect to the 1,200 additional former MF Global customers to whom notice will be mailed, many of these customers may already have received notice of the proposed Settlement from other sources; and, in any event, even if all 1,200 additional former MF Global customers have not already received notice to date, a sixty (60) day adjournment is more than ample time for the provision of such additional notice.

As always, the parties are available to appear to answer any questions the Court may have. Thank you very much.

Respectfully submitted,

/s/ Christopher Lovell

Christopher Lovell

Enclosure

cc: Counsel of Record (by ECF)